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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Reid W. von Borstel

Atty. Ref.: 1331-337

Serial No. 09/838,136

Group:

Filed: April 20, 2001

Examiner:

For: COMPOSITIONS AND METHODS FOR TREATMENT OF
MITOCHONDRIAL DISEASES

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September 13, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Attached is a completed Form PTO-1449 listing documents in connection with this application. Also enclosed are copies of those documents.

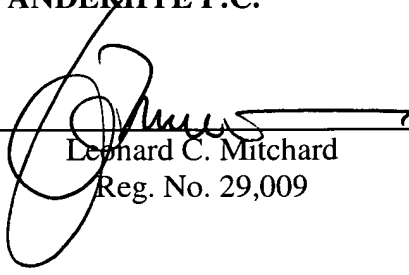
Please note that the defendants have added a cross-complaint for declaration of inventorship under 35 U.S.C. § 116 (see First Amended Cross-Complaint, pages 14-16).

The Examiner is requested to initial the attached PTO-1449, and to return a copy of the initialed document to the undersigned as an indication that the listed documents have been considered and made of record.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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